

REMARKS / ARGUMENTS

Applicants respectfully request further examination and reconsideration of the rejections set forth in the Office Action dated May 7, 2008 in view of the arguments set forth below. Claims 22-26 are currently pending in this application. Applicants have currently amended Claim 22, details of which are provided below. Claims 64-70 have been added. No new matter has been added. Accordingly, Claims 22-26 and 64-70 are now pending in this application.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected Claims 22-26 under 35 U.S.C. 103(a) as being unpatentable over Moody et al. [U.S. Pat. No. 5890177] in view of Williams et al. [U.S. Pat. No. 6513050]. The Examiner has further indicated that the following prior art should also be reviewed to advance the present case: Kohno et al. [U.S. Pat. No. 5819300], Yazdani et al. [U.S. Pat. No. 6614789], and Ramaley et al. [U.S. Pat. No. 7107518].

I. Claim 22

The Examiner has indicated that Moody discloses the following limitations from Claim 22: (1) a method, using a computer system, for generating a response to an unedited replica of an original document sent by a managing author to a contributing author for review; (2) forming a revised replica by editing said unedited replica; (3) partitioning said unedited replica into a first plurality of segments; (4) sorting segments of said first plurality of segments into a binary tree based on a comparison operator; (5) partitioning said revised replica into a second plurality of segments; (6) for a segment of said second plurality of segments, finding a best match in said binary tree to form a block of at least one matching byte; and (7) creating a difference file comprising said block, wherein said difference file is stored in memory to be transmitted to the managing author.

A. Claim 22 Explained

The discussion here will focus on items 3-7 of the above list of limitations. Claim 22 teaches how an unedited document is received from a managing author (i.e. the server side) by

a contributing author (i.e. at the client side). The contributing author creates an edited replica at the client side. Here, the edited replica is not directly sent back to the managing author. Instead, the edited replica is compared against the unedited original. Claim 22 teaches how this comparison is used to create a difference file at the client side. Claim 22 further teaches that only the difference file and not the entire edited replica is stored for transmission back to the managing author. Therefore, the teachings of Claim 22 (specifically, the items 3-7 of the list of limitations specified above) serve the following two important advantages: (1) the comparison of the edited replica and its unedited original can be done at the client side, thus enabling distributive processing and off-loading workload from one server to several clients; (2) only the difference file (and not the entire edited replica) is sent back to the server, thus sending only a file that is typically much smaller in size than the document itself. (see paras. 0077-0092, Detailed Description).

B. Moody et al. Can be Distinguished because (1) Moody Does Not Teach Performing Difference File Creation at Client Side; and (2) Moody Does not Teach Sending a Smaller Difference File Back to Managing Author

Moody et al. teaches a method by which documents are collaboratively edited by multiple editors by providing each editor with a copy of the document. (see Moody et al., Summary of the Invention, col. 2). Here, Moody teaches that after each of the editors have edited the original document, the edited copies of the documents are returned to the author as shown in Fig. 2B (see col. 4, lines 44-50). The entire edited copies are returned to the managing author. Id. It is only after all the edited copies are received at the server side (i.e. by the managing author), that a consolidation process compares and matches the original document with each of the returned copies. (see col. 4, line 51 – col. 5, line 32).

Therefore, Moody teaches away from the two distinct advantages offered by Claim 22. First, Moody teaches receiving the entire edited document from each contributing author and performing the comparison on all the files on the server side (i.e. at the managing author's site). Therefore, the workload is not distributed and all the comparison is done at one site. This is one important problem that is avoided by Claim 22 (as indicated by items 3-7 of the list of limitations

indicated above) by teaching a distributed processing method as explained above. Second, Moody teaches sending the entire edited document back to the managing author. Because several managing authors send such edited documents back, a larger memory capability would be required at the server (i.e. managing author) side to handle this large volume of information. Claim 22 (also as indicated by items 3-7 of the list of limitations indicated above) teaches methods to avoid this problem by sending only a difference file (which is a result of the comparison between the original and edited documents). The difference file, as explained above, is typically much smaller in size than the edited document, and so allows for efficient memory handling at the server side.

While these distinctions are already apparent in the language of Claim 22, Applicants have currently amended Claim 22 to explicitly highlight the aspects discussed here. Consequently, the following language has been added to Claim 22: "*wherein the difference file is created locally at client location.*" Because of these two significant differences between the teachings of Claim 22 and Moody, and in light of the amendments to Claim 22, the Applicants respectfully request the Examiner to find that Moody does not disclose Claim 22 (specifically, Moody does not disclose items 3-7 of the limitations listed above).

C. Williams et al. Can be Distinguished because Williams Does Not Teach Any of Claim 22's Specific Advantages (i.e. Returning only a Difference File to Server and Creating Difference File at Client Side).

The Examiner has indicated that Claim 22 is unpatentable over Moody in view of Williams. We have already discussed how Moody does not disclose Claim 22. The Examiner indicates that Williams provides the capability for enhancing data contained in the checkpoint to be hierarchically derived and stored. Even if this were true, Williams would have to teach the two significant advantages of Claim 22 (namely that (1) only a smaller difference file is sent back to the managing author; and (2) the difference file is computed at client side allowing distributed processing) for Claim 22 to be rendered unpatentable over Moody in view of Williams. However, Williams does not teach either of these methods. Instead, the teachings of Williams are confined to methods for dividing a base file into a series of segments and using the

segments for matching purposes. (see Williams, Abstract). This teaching is very narrow and is not pertinent to any of the advantages of Claim 22 discussed above.

Therefore, in view of the distinctions explained above, Claim 22 is not unpatentable over Moody in view of Williams. Hence, the Applicants respectfully request the Examiner to allow Claim 22 to be patented.

D. Additionally, the other References Listed on PTO 892 Do Not Affect Patentability of Claim 22

The Examiner has further indicated in the Conclusion that the prior arts listed on PTO 892 have relevance to the claims and that the Applicant should review each of the identified references. Each of these additional references is considered below:

Kohno et al.

Kohno teaches a method to "store very limited information such as a counter value at a time ... instead of the document itself, in contrast to the conventional method such as diff storing all the information for each user." (see col. 3, lines 60-65). Additionally, an object of Kohno is to provide a method to clearly indicate that there is a change of information "even when the comparison of the past document information and the current one is not particularly needed." (see col. 3, line 66 – col. 4, line 4). These methods have the primary purpose of providing a document processing method capable of reducing the memory capacity in storing the documents.

Such teachings are in direct opposition to the teachings of Claim 22. Claim 22 requires that the comparison between the edited and unedited files be actually recorded and also requires that such comparison information be completely stored in the difference file. Only then would a managing author be able to perceive the edits made by a contributing author. However, Kohno would allow only a counter value to be stored (in order to save memory). Specifically, Kohno would only indicate that there is a change, without providing information on the changes. Such a teaching would not only teach away from the teachings of Claim 22, but

would also render Claim 22 completely inoperable, because Claim 22 requires the comparison data as the very basis for creating a difference file.

Therefore, the Applicants further submit that the Examiner find that Kohno does not have relevancy to the patentability of Claim 22.

Ramaley et al.

Ramaley teaches means for "automating a document review cycle by automatically merging changes in a reviewed document into an original document and by providing reviewing tools on a context-sensitive basis." (see Ramaley, Summary of the Invention, col. 2, lines 54-60). Ramaley focuses on automating the review process and does not teach any methods to actually compare edited and unedited versions of documents. For these reasons, the Applicants respectfully request the Examiner to find that Ramaley has no relevancy to the patentability of Claim 22.

Yazdani et al.

Yazdani teaches means to match "data strings of different lengths ... [including] comparing and sorting data strings of different lengths and utilizing data tree structures to search for matching data strings." (see Summary of the Invention, col. 3, lines 54-59). Yazdani relates at best to one small aspect of claim 22, namely to the limitation relating to "finding a best match for a segment in the edited replica with a segment in the binary tree." The Applicants do not concede that Yazdani is related to this particular limitation of Claim 22. However, the Applicants wish to point out that even if Yazdani were related to Claim 22, it would not affect its patentability. Providing a means for finding the best match between two files still does not provide the requisite teachings to achieve the two distinct advantages that Claim 22 has to offer (namely: 1. creating a difference file between edited and unedited files at the client location, thus allowing distributed processing capabilities; and 2. storing and transmitting only a smaller-sized difference file back to the managing author). Therefore, the Applicants respectfully appeal to the Examiner to also find that Yazdani does not affect the patentability of Claim 22.

II. Claim 23-26

Claims 23, 24, 25, and 26 depend from Claim 22, and should therefore be allowed for at least the same reasons as Claim 22.

CONCLUSION

The Applicant respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance. Should the Examiner find that a telephone or in-person conference would expedite the prosecution of this Application further, she is invited to contact the applicant's counsel at the contact listed below for such a conference.

No further fees are believed due with this communication. However, the Commissioner is hereby authorized and requested to charge any deficiency in fees to Deposit Account No. 50-2207, under Order No. 60072-8002.US01 from which the undersigned is authorized to draw.

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Respectfully submitted,

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